



Practitioner's Docket No. U 013213-2

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Motomu KOIKE

Serial No.: 09/876,851

Group No.: 1731

Filed: June 7, 2001

Examiner: J. Fortuna

For: PULP PACKING MATERIAL AND METHOD FOR PRODUCING THE SAME

Commissioner for Patents  
Washington, D.C. 20231

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is

- ☐ a small entity. A statement:  
☐ is attached.  
☐ was already filed.  
☒ other than a small entity.

RECEIVED  
FEB 23 2003  
TO 160 MAIL ROOM

---

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))**

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

- ☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

**FACSIMILE**

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: November 21, 2002

\_\_\_\_\_  
Signature

William R. Evans

(type or print name of person certifying)



1731

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

#8/BM  
2-27-03

In re application of: Motomu KOIKE

Serial No.: 09/876,851

Group No.: 1731

Filed: June 7, 2001

Examiner: J. Fortuna

For: PULP PACKING MATERIAL AND METHOD FOR PRODUCING THE SAME

Attorney Docket No.: U 013213-2

Assistant Commissioner for Patents  
Washington, D.C. 20231

RECEIVED  
FEB 26 2003  
TC 1700 MAIL ROOM

RESPONSE TO ACTION OF FEBRUARY 7, 2003  
AND  
REQUEST FOR NEW ACTION

Copies of the Response of November 21, 2002, and its postcard receipt are attached to show, among other things, the independence of claims 7 and 8.

Inasmuch as claims 7 and 8 are independent, they cannot be rejected under 37 CFR 1.75(c) for being in improper dependent form as on page 2 of the Action of February 7, 2003.

Therefore, the Action is on the wrong claims and should be replaced with a new Action and term.

Respectfully submitted,

William R. Evans  
c/o Ladas & Parry  
26 West 61<sup>st</sup> Street  
New York, New York  
Reg. No. 25858  
Tel. No. (212) 708-1930

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

- ☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

**FACSIMILE**

- ☐ transmitted by facsimile to the Patent and Trademark Office

Signature

Date: February 14, 2003

William R. Evans

(type or print name of person certifying)

## EXTENSION OF TERM

**NOTE:** "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).*

**NOTE:** See 37 C.F.R. 1.645 for extensions of time in interference proceedings, and 37 C.F.R. 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

*(complete (a) or (b), as applicable)*

(a) ☒ Applicant petitions for an extension of time under 37 C.F.R. 1.136  
(fees: 37 C.F.R. 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input checked="" type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 400.00	\$ 200.00
<input type="checkbox"/>	three months	\$ 920.00	\$ 460.00
<input type="checkbox"/>	four months	\$ 1,440.00	\$ 720.00

Fee: \$ 110.00

If an additional extension of time is required, please consider this a petition therefor.

*(check and complete the next item, if applicable)*

☐ An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

**OR**

(b) ☐ Applicant believes that no extension of term is required. However, this is a conditional petition being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

		(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY		
		Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	OR	Rate	Addit. Fee
Total	*	Minus	**	=	x \$ 9=	\$		x \$ 18=	\$
Indep.	*	Minus	***	=	x \$ 42=	\$		x \$ 84=	\$
<input type="checkbox"/> First Presentation of Multiple Dependent Claims					+ \$140=	\$		+ \$280=	\$
					Total Addit. Fee	\$ _____	OR	Total Addit. Fee	\$ _____

\* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** "After final rejection or action (§ 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

- (c) ☒ No additional fee for claims is required.

**OR**

- (d) ☐ Total additional fee for claims required \$ \_\_\_\_\_.

## FEE PAYMENT

5. ☒ Attached is a check in the sum of \$ 110.00.
- ☐ Charge Account No. 12-0425 the sum of \$ \_\_\_\_\_.
- A duplicate of this transmittal is attached.

## FEE DEFICIENCY

*NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. ☒ If any additional extension and/or fee is required, charge Account No. 12-0425.

### AND/OR

- ☒ If any additional fee for claims is required, charge Account No. 12-0425

  
\_\_\_\_\_  
SIGNATURE OF PRACTITIONER

Reg. No.

William R. Evans, 25858, (212) 708-1930  
(type or print name of practitioner)

Tel. No.

\_\_\_\_\_  
P.O. Address

Customer No.

\_\_\_\_\_  
c/o Ladas & Parry  
26 West 61 Street  
New York, N.Y. 10023



U 013213-2

November 21, 2002

In re: Motomu KOIKE

Serial No.: 09/876,851

Group No.: 1731

Filed: June 7, 2001

Examiner: J. Fortuna

For: PULP PACKING MATERIAL AND METHOD FOR PRODUCING THE  
SAME

AMENDMENT TRANSMITTAL; RESPONSE TO ACTION OF AUGUST 1,  
2002; CHECK FOR \$110.00

Filed \_\_\_\_\_

WRE:os



RECEIVED  
NOV 26 2002  
TO 1700 MAIL ROOM